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ABSTRACT

This learning module, which is part of a management and supervisor training program for managers and supervisors employed at the Department of Energy's Waste Isolation Division (WID), is designed to prepare trainees to carry out administrative requirements effectively. The following topics are covered in the module's individual sections: program management systems, corporate relationships with WID, and lines of communication; corporate and division policies, procedures, and instructions; hiring, promotion, and discipline policies; sexual harassment policies; fitness for duty; diversity and affirmative action programs; WID's employee compensation program; and procedures for obtaining support in legal and ethical matters. Each section includes some or all of the following: enabling objectives, an exercise requiring trainees to evaluate a manager's effectiveness in a given scenario, and lists of good practices and practices to avoid. Concluding the module are a list of "smart moves," practice test, test answers, and a 25-item reference list. (MN)

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ED 395 158

Waste Isolation Division
Management and Supervisor Training (MAST) Program

ADMINISTRATIVE REQUIREMENTS MAS-112

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Trainee Name:_____

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CE 071 521

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A. INTRODUCTION

Terminal Objective

Upon completion of this module, the trainee will be able to carry out administrative requirements effectively.

Mastery of the terminal objective will be demonstrated by scoring 80 percent or higher on the module examination.

As a supervisor or manager at the Waste Isolation Division (WID), you must meet a significant amount of administrative requirements. Hundreds of administrative requirements affect you and your employees. This module will inform you about the most important of these requirements, giving you information you need to be an effective administrator.

As you begin this module, it may appear to contain a series of unrelated topics ranging from procedures to sexual harassment. However, all topics relate to administrative and legal requirements that you need to fulfill. This module conveniently presents these topics together in the following pages, with the intent of providing you a ready reference. We hope that you will refer to this module often.

B. PROGRAM MANAGEMENT SYSTEMS, CORPORATE RELATIONSHIPS WITH WID AND LINES OF COMMUNICATION

Enabling Objectives

Upon completion of this section, the trainee will be able to perform the following:

1. Identify the document guiding project management at the Waste Isolation Pilot Plant (WIPP).

2. Identify the roles of the organizations responsible for the accomplishment of the WIPP mission.

3. Identify the purpose of the integrated management control system.

4. Identify the WID organization to contact for further information about the Management Control System (MCS).

5. Identify relationships between Westinghouse Electric Corporation (WEC) and WID.

6. Identify lines of communication between WID and the rest of WEC.

7. Given an employee-manager scenario, evaluate the manager's effectiveness in meeting administrative requirements of WID's project management systems, lines of communication, and interrelationships within WEC.

PROGRAM MANAGEMENT SYSTEMS

Properly managing projects at WID is essential. Why? Because resources such as money, employees, and materials must be used prudently to successfully accomplish the WIPP and National TRU Program (NTP) mission. In this section, we will discuss systems designed to support effective project management.

Department of Energy (DOE) Order 4700.1 establishes the DOE project management system and provides implementing instructions, formats, and procedures. The primary objective of DOE Order 4700.1 is to ensure the application of sound business management principles to provide a disciplined, systematic, and coordinated approach to project management. This will result in efficient planning, organization, coordination, budgeting, management, review, and control of DOE projects. Principles outlined in DOE Order

4700.1 are used at WIPP.

Several organizations participate in the Program Management System and have responsibilities that are essential to accomplishing the WIPP mission. These organizations include the DOE Office of Environmental Restoration and Waste Management (EM), the DOE Carlsbad Area Office (CAO), the Technical Assistance Contractor (TAC), the DOE Albuquerque Operations Office (AL), WID, Sandia National Laboratories (SNL), and the transuranic (TRU) waste generator/interim storage sites such as the Rocky Flats Environment Technology Site and the Idaho National Engineering Laboratory. Let's briefly discuss the project management responsibilities of each of these organizations.

EM is responsible for providing top-level DOE policy and guidance to CAO and for coordinating all the WIPP-related activities at DOE Headquarters. EM currently provides direction through CAO.

CAO has direct responsibility and accountability for the execution and the implementation of WIPP and NTP activities. CAO coordinates the WIPP and NTP activities with EM, the state of New Mexico and other federal, state and local agencies. CAO also coordinates the WIPP and NTP budget activities through the AL office. CAO establishes and implements policy for WIPP and NTP activities and provides top-level coordination of WID and SNL activities. CAO also provides general oversight of all program activities to ensure compliance with established milestones, budgets, schedules, quality and regulatory assurance, and environment, safety and health requirements. TAC supports CAO in administering these responsibilities.

WID, management and operating (M&O) contractor for WIPP, is responsible for WIPP operations as authorized and directed by DOE in accordance with the M&O contract and other related agreements. WID performs the following functions in accordance with applicable federal, state and local requirements and industry standards: (1) quality assurance, (2) environment, safety and health, (3) mining operations, (4) operational planning, (5) management control, (6) public affairs and information, (7) facility engineering, (8) waste handling operations, (9) facility maintenance, (10) program integration and strategic planning support, and (11) other activities or programs that are defined contractually through other agreements. WID also provides technical support services to CAO to administer the TRU waste program.

SNL manages scientific programs for WIPP. SNL is responsible for developing an understanding of the processes and the systems that affect the long-term isolation of waste at WIPP. They also apply that understanding to evaluate WIPP's compliance with 40 CFR 191, Subpart B. SNL provides information for the National Environmental Policy Act (NEPA) process and for determining WIPP compliance with the Resource Conservation and Recovery Act (RCRA) land disposal restrictions. Accordingly, SNL defines and implements experiments both in the laboratory and at WIPP, develops and applies models to

interpret the experimental data, and develops and applies performance assessment models. SNL coordinates with CAO and WID to ensure proper integration and communication of all scientific activities.

Waste generator/interim storage sites are responsible for ensuring that TRU waste shipped to WIPP meets (1) the WIPP Waste Acceptance Criteria (WAC), (2) the TRUPACT-II Authorized Methods for Payload Control (TRAMPAC), (3) the site's Quality Assurance Program Plan (QAPP), and (4) applicable provisions of RCRA. Waste generator/interim storage sites are also responsible for developing Quality Assurance Project Plans that define how they will implement their plans for the characterization of TRU waste as defined in QAPP. These plans, together with the waste certification process records and periodic independent assessments and surveillance, provide assurance and documented evidence that waste shipped to WIPP will meet all applicable requirements, regulations, and local and state agreements. The waste generator/interim storage sites' responsibilities are coordinated through NTP.

The integrated management control system (MCS) provides an upward flow of information from WIPP organizations to CAO. This approach requires (1) defining the WIPP program in a visible, disciplined manner using a Work Breakdown Structure (WBS); (2) integrating WID/SNL/CAO data to report status against planned accomplishments; 3) evaluating and analyzing progress information to identify problems for timely management action; (4) correlating program funding with planned commitments, expenditures and work accomplished; (5) preparing summary schedules, reporting status at predetermined regular intervals, and conducting schedule analyses; (6) processing integrated technical, cost, and schedule data into WIPP progress reports as required, and (7) Program Planning Cycle. WID is required to operate and maintain a MCS for workscope budget, cost and schedule, develop integrated budget information, estimates and studies in support of effective budget and management control processes.

MCS and all its elements will be discussed in more detail in MAS-115, *Budgeting and Cost Control*. Questions about the integrated management control system should be directed to Program Management..

CORPORATE RELATIONSHIPS WITH WID

The WEC organizational structure includes an executive office, seven business units, a corporate center and a business unit of elected officers. The executive office includes the chairman and chief executive officer, president and executive vice president and chief financial officer. The seven business units are:

- Electronic Systems

- Energy Systems
- The Knoll Group
- Power Generation
- Thermo King Corporation
- Westinghouse Broadcasting Company, Inc.
- Westinghouse Government and Environmental Services Company (GESCO)

WID is part of the GESCO business unit of WEC. GESCO is managed by a president and an executive vice president. At WID, our business is based on the M&O contract with DOE, our main customer. The twelve other GESCO organizations are:

- Bettis Atomic Power Laboratory
- Machinery Apparatus Operation
- Machinery Technology Division (MTD)
- Plant Apparatus Division (PAD)
- Westinghouse Savannah River Company (WSRC)
- Westinghouse Hanford Company (WHC)
- West Valley Nuclear Services Company (WVNS)
- Government Technical Services Division
- Westinghouse Resource Energy Systems
- Scientific Ecology Group
- Westinghouse Remediation Services
- Safe Sites of Colorado

LINES OF COMMUNICATION

There are many exchanges of information between WID and other organizations within WEC. Coordinating the flow of these exchanges of information requires some centralization. That is why formal communication throughout WEC generally follows the corporate organizational structure. The WID general manager is the main spokesperson for information flowing to and from the GESCO business unit. In addition to the general manager, there are three persons who serve as formal communication contacts between WID and other WEC organizations. These include the Human Resources (HR) manager, the Controller, and WID legal counsel.

Exchanges of information between WID and other WEC organizations should be conducted properly. Not following appropriate communications protocol can cause problems because incorrect information may be exchanged. The correct business practice is to contact the applicable WID communications contact to formally exchange information with another WEC organization. This will assure that WID and WEC interests are not compromised and that the information you provide is complete and appropriate. If you are not sure who the applicable WID communications contact is, ask your manager.

C. CORPORATE AND DIVISION POLICIES, PROCEDURES AND INSTRUCTIONS

Enabling Objectives

Upon completion of this section, the trainee will be able to perform the following:

1. Identify the characteristics of corporate directives.
2. Identify the purpose of charters.
3. Identify the purpose of policies.
4. Identify good practices for procedures.
5. Given an employee-manager scenario, evaluate the manager's effectiveness concerning corporate and project policies, procedures, and instructions.

CORPORATE DIRECTIVES

A directive is an authoritative instrument issued by a high-level body or official. Westinghouse issues corporate directives covering nine major areas:

- Changes in ownership
- Employee practices
- Environment, health and safety
- Facilities and land
- Finance
- Legal and ethical conduct
- Patents and trademarks

- Quality
- Security

Corporate directives contain general information which governs the way business is conducted at WEC. The directives contain guidance regarding employment, legal and ethical issues, environment, safety and health, and financial processes. Consult WID and corporate policy when you need information about these topics. Your senior manager has a book containing corporate directives. References on the corporate directives are also available from the Controller's Department and HR. Contact HR if you have questions about the most frequently consulted corporate directives.

CHARTERS

A charter is a written definition of the function and the responsibilities of an institution or an organization. In 1991, WID charters were initiated to take the place of the Operations Program Plan. Charters are not job descriptions; they are comparable to a mission statement. Charters cover a section's (1) scope, (2) responsibilities, and (3) key external interfaces. They also exist for boards such as the Readiness Review Board and for committees such as the Underground Safety Committee.

If you are involved in writing or reviewing a charter for your section, take this responsibility seriously. Charters are read by many people, including auditors. They are a point of reference for assessing the quality of WID operations. Charters are located in controlled document locations. They are maintained by the Document Services (DS) section. Questions about charters should be directed to DS.

POLICIES

A policy is a division-level, overall statement embracing general goals and acceptable ways of doing work. WID policies provide a written source of information for WID operations. Each policy includes a policy statement, requirements and responsibilities. Some policies include a fourth section for references. Policies will be general and broad in nature; therefore, they are not revised each time a related procedure is changed. After approval by the general manager, WID policies are contained in controlled document locations. Questions about policies should be directed to DS.

PROCEDURES

A procedure is a document that provides a step-by-step sequence of actions that are

necessary to accomplish an activity. Each necessary action is identified in a procedure, along with the individual or responsible group that performs the action. Because procedures are crucial in performing work accurately, efficiently and safely, procedures are important to our conduct of business at WID. As a supervisor or manager, it is ultimately your responsibility to ensure that all employees comply with procedures.

There are currently more than 600 procedures in existence at WID; controlled copies are located in designated locations throughout the facility. To find the location most convenient to you, contact DS. All controlled documents are listed in the *Index to WID Controlled Documents*. The purpose of the *Index* is to provide WIPP personnel with detailed information about WIPP Project (WP) documents and their associated manuals. These documents are controlled by DS. Additionally, a limited number of DOE documents (with DOE/WIPP numbers) are included in the *Index* by request of CAO.

In addition to the *Index*, all WID supervisors and managers should be familiar with the requirements in the WIPP Documentation Plan, with WP 15-PS 1&2, and with the related series of procedure guidences in the WP 15-PS manual. The purpose of the WP 15-PS series of procedures is to provide instructions for the preparation of WID procedures. The purpose of the controlled document system is to provide documentation at WIPP that is correct, appropriate, useful, up-to-date and consistent.

How do you know when to write a procedure? Typically, a procedure is needed when a task in your department must be performed in the same way, each time, with 100 percent auditability. This is particularly true for complex tasks or tasks for which improper performance could adversely affect employees, safety or plant performance.

Experience at WIPP has revealed some important good practices concerning procedures. We can benefit from this experience by examining the following lists of good practices and practices to avoid.

GOOD PROCEDURE PRACTICES

- After consulting with DS personnel, refer to the WP 15-PS manual for help in producing a document that is consistent with requirements and that is easy to use.

- Before beginning to write a procedure, contact DS. They can make the procedure-writing process much easier for you. DS can assist in the initial drafting of a procedure, in preparing a proper procedure format, and in identifying supporting documentation for the procedure.

- Follow sound review and approval practices. All affected departments are to have the opportunity to review your document. Consult the WP 15-PS manual to ensure that you understand your role in the review and approval process.

- Bring a hard copy and a WordPerfect disk copy of your draft procedure to DS. Providing a hard copy and a disk copy of your draft will ensure that your procedure is processed quickly and accurately.

- Plan ahead. Allow ample time for completing a procedure when you have a deadline. When you know you have a procedure to complete, contact DS early.

PROCEDURE PRACTICES TO AVOID

- Failing to inform your employees about the importance of properly using procedures. Employees need to know which procedures they are to comply with while performing their jobs.

- Rushing through the procedure development, review and approval process. Unexpected events or requirements may delay your progress.

- Overlooking DS as a resource. DS can save you a lot of time when you are writing or revising a procedure.

CRITICAL INCIDENT
INEFFECTIVE PERFORMANCE

Occurrence: A department perceived that it was under extreme deadline pressure to revise an existing WID procedures manual. This perception caused a great deal of stress for employees in the department. They thought they were the only group that could move quickly enough to complete the manual revision by their deadline. Consequently, they handled the revision process entirely by themselves. In doing so, they inadvertently moved the manual's revision number from Revision 1 to Revision 3, skipping Revision 2. They also omitted many reviewer comments from Revision 3. The revision number and errors of omission were noticed when the procedure was brought to DS for issue.

Impact: (1) Employees in other departments who were involved with the review and the revision of the manual became disgruntled. They noticed that their review comments had not been incorporated. This left them feeling that their time spent reviewing the procedure had been wasted. (2) Much time and effort was wasted. Extensive revisions had to be made before the procedure could be properly reissued as Revision 2. This caused even more stress and pressure. The whole revision process took approximately six months, instead of the normal two to three months it should have taken. (3) The department missed the milestone deadline for delivering the procedure manual.

Lessons Learned: (1) Don't let the pressure of a tight schedule and deadline cloud your judgment. Remember the old saying: "Why is there never enough time to do it right but always enough time to do it over?" (2) Involve DS up front in the procedure revision process. They will work with you in a collaborative effort to revise procedures as efficiently as possible. (3) Review applicable documents in the WP 15-PS series before writing or revising procedures.

INSTRUCTIONS

As a supervisor or manager, you probably give instructions daily. Instructions can be oral or written, but their main purpose is to provide direction. Instructions provide guidance on tasks which do not require a procedure; these are usually one-time activities that you do not expect to recur. In this module we will focus on written instructions. Oral instructions are covered in MAS-106, *Communications*, and MAS-110, *Employee Relations*.

Instructions are especially useful in multishift operations where communication between shifts is difficult. While they do not replace procedures, instructions can be helpful in communicating important information to your employees. Use instructions whenever you want to provide employees with directions or important information in a written format.

Instructions provide a definite method for notifying employees of short-term and administrative requirements that affect operations:

- Special operations
- Administrative directions
- Data collection requirements
- Process parameters
- Work priorities
- Policies
- Maintenance and testing evolutions
- Changing modes of operation

Experience has revealed some good practices with respect to instructions that are listed below. The WP 15-PS series contains additional information to enable you to use instructions effectively.

GOOD INSTRUCTION PRACTICES

- Make sure your instructions are clearly written, dated, and meet the requirements of WP 15-PS3004, *Guidelines for WID Desktop Instructions*.

- Segregate your instructions into daily and long-term instructions to make them simpler for your employees to review.

- Long-term instructions should be produced and issued as described in the guidelines for desktop instructions.

- Long-term instructions should be reviewed frequently to ensure that outdated instructions are promptly removed and canceled.

- Section managers should review long-term instructions monthly. Those that are no longer applicable or are outdated should be promptly removed and canceled.

INSTRUCTION PRACTICE TO AVOID

- Using instructions to change approved procedures. The changes noted might be missed by a procedure user. The changes also may not receive the approval appropriate for a procedural change.

D. HIRING, PROMOTION AND DISCIPLINE POLICIES

Enabling Objectives

Upon completion of this section, the trainee will be able to perform the following:

1. Identify the steps in WID's hiring process.
2. Identify good hiring practices.
3. Identify hiring practices to avoid.
4. Identify the processes for promoting WID employees.
5. Identify promotion practices to avoid.
6. Identify WID's *positive, progressive discipline* policy.
7. Identify good discipline practices.
8. Identify discipline practices to avoid.
9. Identify the WID organization to contact for further information about hiring, promotion and discipline policies.
10. Given an employee-manager scenario, evaluate the manager's effectiveness in hiring, promoting and disciplining.

HIRING

The initial employment and continued career development for all employees are crucial to the improvement and growth of WID. As a supervisor or manager, you will be involved in this process. Hiring is a task that, if poorly handled, can cause many problems, including lawsuits and poor employee/job matches. This section will provide you with information needed to avoid common hiring mistakes.

Before seeking to fill an open position, it is important to take some time to think and plan. You can significantly reduce the time it takes to fill an opening by knowing exactly which qualities will help a candidate succeed in the position.

You can benefit from notes about the job requirements and conditions by asking yourself the following questions before interviewing candidates:

- What are the most important tasks required for this position?
- What type of educational qualifications are needed?
- How many years of experience should the hired individual have?
- What training and support will the hired individual receive?
- What obstacles or challenges will the hired individual face?
- What are the opportunities or benefits of the position?
- What percentage of overnight travel is anticipated?
- What specific knowledge, skills, or abilities are required?

This information will assist you in locating qualified candidates. Furthermore, you will be prepared to interview more effectively when you have a clear idea of the type of candidate you are looking for.

THE HIRING PROCESS

Administratively, the hiring process begins with authorization to fill the available position. Check with your manager and your budget analyst to ensure that you have "headcount" and funds for the position. Then, complete an Employment Requisition Form and obtain your senior/department manager's signature. Send the completed form to HR so the employment process can begin.

HIRING INTERNALLY

Whenever practical, open positions are filled from within by WID employees. This policy of hiring from within recognizes that success in any career depends on the individual's preparation for advancement. The protocol for interviewing candidates and hiring from within is:

- Check with your manager and your budget analyst to confirm "headcount" and budgetary funds for the position.

- Be sure to complete an Employment Requisition Form and return it to HR so that your open position can be posted.

- Once the position has been posted, HR will assist you in determining which employees are eligible for the position based on education, qualifications and years of experience.

As the hiring manager, you should let all employees who expressed interest for the open position know whether they will be considered. However, if an employee is not qualified, discuss how to obtain the necessary qualifications if the employee is truly interested in a career change. Remember, employee development is every manager's responsibility.

Always talk to the immediate manager of the employee you are interested in interviewing *before* speaking with the employee. Once this is done and all the required approvals are obtained, interview the employee. Be sure your manager has the opportunity to interview the candidate. Contact HR to discuss the candidate and ensure that consensus is reached regarding a job offer. Never promise the employee the job; make the job offer only *after* all paperwork necessary to authorize the transfer has been completed.

HIRING EXTERNALLY

When hiring externally, assist HR in locating qualified job candidates by using your contacts and associates to identify possible candidates. This process will build a candidate pool from which to choose. When searching for candidates, do not directly contact other WEC locations or employees. This practice, known as "pirating," is not the proper way of locating job candidates. Instead, if you know of a potential candidate at another WEC location, notify HR staff and they will contact the other WEC location through the proper channels. Additionally, HR may use search firms or place advertisements in major publications to attract potential candidates.

After identifying candidates, the next step is interviewing. As a supervisor or manager, interviewing job applicants is an important part of your job. Prepare thoroughly to make the most of the interview by reviewing each candidate's resume and application. Be sure to prepare interview questions that will help you assess each candidate's qualifications. If you aren't experienced in conducting employment interviews, contact an HR representative *before you conduct the interview* to ensure that your questions are legal. Numerous legal requirements apply to the hiring process and to your role as a manager or supervisor. Contact HR and review the Westinghouse corporate directives pertaining to hiring and supervision.

Making job candidates feel welcome is an important part of the interview process. Keep in mind, you are not only assessing the candidate, but the candidate is also assessing you.

Meeting candidates for breakfast prior to the interview is one way to help candidates feel welcome. Candidates not familiar with southeastern New Mexico should not be asked to find the WIPP site unescorted. Be sure to inform candidates about the region, the job, and your expectations both honestly and positively, but realistically. Point out the favorable aspects of life in New Mexico.

During the interview process, it is important to assess how that candidate will fit into your workgroup. Ask open-ended questions since they require more than a few words to answer and stimulate communication. This will allow you to assess the candidate's thought processes and see whether the candidate has the same goals and objectives as the group and WID. Careful attention to this phase of employment will result in better placements of personnel within the organization.

After you complete your interview, the candidate should also be interviewed by HR and the applicable department/senior manager. The hiring manager should also arrange a drug screen with Health Services.

Conclude the interview day with a final meeting between the hiring manager and the candidate to ask any final questions that may have arisen throughout the day. This meeting will give the hiring manager an opportunity to assess the candidate's interest in the job and to respond to concerns the candidate may have.

After all interviews for the position are completed, the hiring manager, the department manager and HR must reach consensus on which candidate will be extended an offer. During this pre-offer period, careful consideration should be given to any potential danger signs exhibited by the interviewee (see "Hiring Practices to Avoid"). If consensus is not reached among the three interviewers, then the candidate is not considered further for employment.

Once consensus is reached, the hiring manager and HR will develop a salary offer. The offer will be based on what other WID employees in comparable positions with comparable years of experience and education are earning, as well as market availability and the current salary of the potential employee. HR will prepare the offer letter and assist in extending the offer to the successful candidate. It is important that you make no promises or innuendos to the candidate before these steps are finalized. Once the offer is extended, the candidate will be given approximately five business days to accept or decline.

More information about interviewing can be found in MAS-110, *Employee Relations*.

To reinforce proper hiring procedures, here are some good practices and some practices to avoid:

GOOD HIRING PRACTICES

- To prevent poor employee/job and employee/supervisor matches, the immediate supervisor or manager to whom the open position reports should be an integral part of the hiring process.

- Be objective. A candidate usually should not be ruled out based on one item on a resume or application. Consider the candidate's education, experience and compatibility with your work team.

- Take notes during interviews so you can evaluate candidates against one another when it is time to make a hiring decision. Make sure these notes address job-related, not personal, dimensions of the candidate. Never make notes on the application or resume. Remember, these documents become part of the personnel file.

- If you are contacted by a rejected applicant, refer the applicant to HR. Don't discuss hiring decisions with anyone other than your manager and HR personnel.

HIRING PRACTICES TO AVOID

- Avoid promising or even hinting that a candidate will be hired before all steps in the hiring process are completed. Much can occur to prevent you from hiring your top candidate. Don't raise the interviewee's expectations prematurely.

- Do not give someone the edge in the hiring process because they have relatives or friends working at WIPP. Your employees determine your success in the workplace. Select the best candidate for the position.

- Do not write on a job candidate's application form. If you make notes, do so on a separate sheet of paper. The application form becomes a part of the job candidate's application or personnel record.

- Avoid projecting a disinterested or callous attitude toward a job candidate. For example, telling an out-of-town candidate, "Meet me at the WIPP site--it's 32 miles southeast of Carlsbad."

- Avoid discussing salary or other compensation matters with candidates. Refer them to HR for answers to these questions.

- Ignoring danger signs exhibited by a job candidate, such as unexplained gaps in employment, negative attitudes, or prior terminations. Be realistic and objective. Can the candidate adequately perform the job requirements? Does he or she possess both technical and human relations skills?

CRITICAL INCIDENT
INEFFECTIVE PERFORMANCE

Occurrence: A manager had a tentative opening in her department. Before verifying authorization to fill the position, the manager asked an employee in another department if the employee was interested in the position. Upon confirming the employee's interest, the manager promised the employee the job. It was several months later before the manager received authorization to fill the position. In the meantime, the employee's manager found out about the promised promotion.

Impact: The employee's manager was upset by the other manager's indirect methods. After hearing about the planned promotion, the employee's manager was in a bind. He had little time to locate a replacement before that employee left the department. Furthermore, the employee's performance declined because the employee became preoccupied with planning for the future position.

Lessons Learned: (1) *Never* promise a position to someone before all necessary approvals have been obtained and all required paperwork has been completed. (2) Talk with an employee's immediate supervisor about your intentions before speaking with an employee about a job opening.

PROMOTION OF EXEMPT AND NONEXEMPT EMPLOYEES

A promotion is defined as the regular assignment of an employee to a different position with a higher job code. Employees can advance within a particular occupation in one of the established progression groups or job families. The progression group specifies the sequence of positions established for that occupation at WID. Employees may move to a different progression group, usually in nonpromotional or lateral transfers, to seek new career opportunities. Use of promotion selection instruments is covered in MAS-111, *Personnel Development*. In this module, we focus on the basics of the promotion process.

You have probably heard the terms *exempt* and *nonexempt* used in reference to employees. The Fair Labor Standards Act (FLSA), a federal law that establishes the minimum wage and overtime provisions depending on the type of work performed, places job types into these two categories. Nonexempt employees are defined as employees who occupy clerical, technician, and maintenance positions. This means that FLSA regulations apply to that position for overtime purposes. Professional and management positions are classified as exempt, which means that the position is exempt from FLSA regulations in regards to overtime.

The WID promotion and transfer policy is based on promotion from within the division whenever practical. This policy recognizes individual employee's length of service and qualifications (related experience, training, education, and demonstrated performance). The division is interested in the success of all employees, while further recognizing that success in any career depends on the individual preparation for advancement. Promotion within the nonexempt progressions is typically straightforward--by policy, the most senior, qualified employee from within an occupational progression will be considered for promotion. If a position cannot be filled from within an occupational progression, then employees from outside the progression will be considered. This process is governed by the Nonexempt Promotion Policy in the *Employee Handbook*. As the employee's manager or supervisor, you and your manager must consider whether the employee is ready to be promoted. In other words, the employee must have maintained a performance rating sufficient for promotion. Review the job description of the next higher position when promoting an employee so you can determine how closely your employee meets the experience, job, and educational requirements of that level. HR can assist you in determining the most senior employee.

Promotions of exempt employees are based on performance in the current position, experience, education, and overall demonstrated performance. Promotions of nonexempt employees to exempt status are looked on as a matter of merit, based on individual performance, abilities, and qualifications to perform the full range of an exempt job. The procedure for this process is also found in the Employee Handbook. Contact HR for a Nonexempt to Exempt Promotion Checklist to aid you in assessing your employee's promotability.

GOOD PROMOTION PRACTICES

Here are some guidelines that reflect WID policy and practice when you want to promote an employee:

- Ascertain that a legitimate business need exists for the promotion. Then, carefully review the employee's qualifications and performance.
- Talk with your manager to ensure the employee is ready to be promoted.
- Discuss the employee's qualifications and your rationale for the promotion with HR.
- Complete the required paperwork.

PROMOTION PRACTICES TO AVOID

Avoid the following practices when you consider promoting an employee.

- Avoid being reactive. Don't promote someone because an employee complains or is being offered another position. Promotion should be based on an employee's performance and potential to perform the new job; don't promote out of fear that you may lose an employee.

- Avoid promoting an employee before you have reviewed the prerequisites for the next higher position code. Candidates must meet job requirements, including education, experience and attendance.

- Avoid telling an employee that you are recommending them for promotion. This is a poor practice that will backfire if the recommended promotion is denied or delayed. You may jeopardize an employee's morale if expectations aren't met.

More information about WID's promotion process is available from HR.

DISCIPLINE

As a supervisor or manager, you may have to deal with performance problems or violations of WID's *Rules of Conduct*. How well you manage that process can influence your work group's performance, prevent legal liabilities, determine the future of a poor performer, and affect your credibility. This section will assist you in properly handling disciplinary proceedings.

Discipline is an area that many supervisors and managers would prefer to avoid because it evokes negative images of confrontations and penalties. Properly applied, the disciplinary process is both a management tool and a positive force in the workplace. WID employs such a process: *positive, progressive discipline*. It is an industry-proven disciplinary process that promotes consistency and is easily understood by employees. *Positive, progressive discipline* is aimed at correcting problems, not mistakes.

The process is referred to as *progressive* because, for most infractions, progressive penalties are imposed for repeated violations. We warn employees about problems and give them an opportunity to correct the problems. An exception to this progressive system would be serious violations that start further in the progression. Violations such as assault, stealing, or sexual harassment could result in an employee's immediate discharge.

The disciplinary process begins when an employee violates the Rules of Conduct or a supervisor or manager recognizes that a performance problem warrants consideration of disciplinary action. As a manager or supervisor, when you want to improve an employee's unacceptable performance, approach the process by (1) identifying the specific violation or

performance problem; (2) determining whether disciplinary action will result in the desired behavior; and (3) deciding whether disciplinary action is justified based on the employee's actions.

Some performance problems are easier to recognize than others. Each case is different and the decision to discipline should be weighed very carefully. Managers and supervisors must be able to differentiate between mistakes and problems. All employees make mistakes or experience brief periods of poor performance. In most cases, the employee recognizes and corrects the behavior, or you may simply point out the mistake to help the employee understand what action should have been taken.

A performance problem is revealed in the repetition of mistakes and the failure to correct the mistakes even after feedback. Look for a pattern of mistakes before concluding that a performance problem exists. Use your judgment as a manager or supervisor to ensure that the circumstances of the behavior are thoroughly investigated and evaluated before proceeding in the progressive disciplinary process.

WID's disciplinary process must be applied consistently. The process consists of four steps that are typically sequential. However, the order of progressive discipline may vary depending upon the severity of the infraction or whether the employee has received a prior disciplinary warning. The steps include (1) verbal warning, (2) written warning, (3) final warning, and (4) termination. The employee may be required to take a disciplinary furlough from work as a part of the disciplinary process. As a manager or supervisor, give warnings with discretion and be sure that they are presented in an environment where the employee's privacy is maintained. All verbal warnings should be documented in the manager's daily notes, and HR should be notified. Consult with your manager and HR prior to issuing a written warning to an employee. The written warning documents (1) the nature of the problem, (2) how to correct the problem, and (3) the resulting consequences if the problem is not corrected. The warning letter is then signed by the immediate supervisor or manager. You must submit a copy of the signed letter to HR. When a problem persists, you may have to proceed with a final warning. A final warning often includes time off from work without pay. If termination is necessary, the employee's immediate supervisor conducts the termination after consulting with HR.

Be sure to assist the employee in creating an action plan for improved performance. When you meet with employees about disciplinary problems, be sure to tell them what behavior was inappropriate, how to correct the problem, and the possible consequences if they fail to correct their behavior. Communicate to employees that, ultimately, correction of the problem is up to them. You are available to help define a plan to correct the problem, but they are responsible for carrying out the plan. Employees with personal problems that are affecting their job should be referred to the Employee Assistance Program.

As a supervisor or manager, you will be called upon to counsel employees. Remember that

counseling is an important part of the disciplinary process at WID. When you counsel employees, you are advising them on work-related matters. Counseling employees is covered in detail in MAS-110, *Employee Relations*.

GOOD DISCIPLINARY PRACTICES

- Be consistent in your use of discipline. Being consistent requires that your actions dealing with infractions are free from variation or contradiction. Similar or comparable infractions by other employees (in or out of your department) must receive similar treatment.

- Be sure to get all relevant facts and don't act on hearsay.

- Don't overreact; be conservative in initiating discipline. Keep in mind that the main purposes of discipline are to inform the employee about undesirable behavior and to warn the employee that performance must be corrected. Your objectives are to correct performance problems and to enforce WID's rules of conduct, not to punish an employee. If you are unsure whether discipline is warranted, contact HR.

- Be thoroughly prepared before conducting disciplinary discussions by reviewing the history of the performance problem or the rule violation. Outline the areas in which you expect improvement. Focus your review on behavior rather than on the employee. Descriptions of employee behavior should be clear and specific.

- Discuss discipline in private surroundings. Employees involved in disciplinary proceedings have a right to confidentiality.

- Encourage open discussion of the causes of performance problems. You may learn that obstacles are preventing competent job performance. Reaching an agreement as to the causes of problems will help you and your employee jointly plan a strategy for improvement. However, never assume that you and the poor performer agree about the performance problem. Poor performers often disagree with their manager's performance evaluation. Your goal is to lead the employee to recognize the problem and agree that correction is needed. Short of this goal, aim to communicate clearly what your concern is and why it is a concern.

- Maintain a complete record of events, stating why the employee was disciplined and what the next step will be if the matter is not corrected. Ensure that discipline-related documentation is clear and complete and is submitted to HR. Remember, disciplinary

action may be reviewed later by third parties such as courts or governmental agencies.

- Follow the employee's performance and assist a poor performer in correcting problems. Offer to help whenever you believe an employee can improve and will benefit from help. Provide feedback; employees need and want to know where they stand.

- If termination results, determine the root and contributing causes and take corrective actions to prevent similar incidents from recurring. Sometimes performance doesn't significantly improve after an employee has been given a final warning. Your goal then becomes to terminate the employee in the best interests of the employee and WID. Unnecessarily delaying a termination serves no purpose. L. Steinmetz, author of *Managing the Marginal and Unsatisfactory Performer*, conducted a survey of managers who had been fired and found that 94 percent thought they were better off after the job change, while 82 percent were happier in their current job.

- Consider what can be learned from the infraction or problem. Can other supervisors or managers benefit from anonymous information related to the incident? If so, contact WID Training so that the incident can be considered for inclusion in MAST as a critical incident.

DISCIPLINARY PRACTICES TO AVOID

- Avoid putting off disciplinary actions. Employees don't respect a supervisor or manager who won't enforce rules and standards. Employees recognize situations that call for discipline and expect proper action to be taken.

- Avoid losing your temper. Never discuss performance problems or rule violations with an employee until you can do so in a rational state of mind.

- Avoid failing to discuss the causes of the problem. Once the problem is defined, you and the employee should attempt to identify and agree on the causes of the problem. Get the employee's side of the story or interpretation of the facts. Lack of agreement can only hinder the problem solving/performance improvement process.

- Avoid letting the employee talk you out of necessary disciplinary action.

- Avoid dumping the problem in the employee's lap or assuming responsibility for the employee's problem. You and the employee should jointly create a plan for correcting the causes of poor performance. Ideally, the employee should invest in the solution to the problem and take ownership of the plan.

- Avoid waiting until the end of a new employee's initial employment period to take disciplinary action. If a performance problem occurs at any time during initial employment, discuss it with the employee. Significant performance problems should be brought promptly to the attention of your manager and HR.

- Avoid displaying a poor attitude towards the employee because you had to take disciplinary action.

These guidelines will prepare you to attain positive results from disciplinary actions. WID's disciplinary procedure exists to protect both WID and its employees. The procedure involves a system of progressive discipline that gives employees an opportunity to improve. Serious violations, however, result in serious penalties, up to and including termination. HR personnel will assist you in properly handling performance problems and rule violations.

E. SEXUAL HARASSMENT POLICIES

Enabling Objectives

Upon completion of this section, the trainee will be able to perform the following:

1. Identify WID sexual harassment policies.

2. Identify good practices with respect to sexual harassment.

3. Identify the WID organization to contact for further information about sexual harassment.

4. Given an employee-manager scenario, evaluate the manager's effectiveness in adhering to WID's sexual harassment policy.

It is the continuing policy of WEC to provide employees a work environment free from any form of sexual harassment. Sexual harassment in any manner or form is expressly prohibited. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment

- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment

All claims of sexual harassment should be reported to HR immediately. After a thorough investigation, corrective action will be taken as warranted by the results of the investigation.

As a manager or supervisor, you are responsible for what you know, as well as what you *should* know about the occurrence of sexual harassment in your workplace. Keep alert for signs of sexual harassment, such as poor morale, requests for transfer, or sudden undue tension. By law, you are personally liable for allowing a hostile or intimidating environment to exist in the workplace.

Make sure your work atmosphere discourages improper behavior. Offensive visual displays such as calendars, pinups, cartoons, drawings, or photographs showing men or women in demeaning sexual poses or scanty clothing will not be tolerated in the workplace. Tell your employees that offensive language, sexual comments, and sexist jokes are prohibited. *Strictly enforce these rules.*

GOOD PRACTICES

Follow good practices to prevent any form of sexual harassment in your workplace:

- Except for handshaking, avoid physical contact with employees. Even the most innocent hug or pat could be construed as a form of harassment by some individuals.
- Don't single out employees for social activities after working hours.
- Think before you speak. You can compliment an individual on his or her appearance, for example, without suggestive overtones or comments.
- Don't say or do anything that you wouldn't say or do in public, or in front of your spouse, partner or parents.

As a manager or supervisor, you are responsible for monitoring the workplace and protecting your employees from sexual harassment. Since harassment means different things to different people, and since much of it occurs in private, you must be especially aware of the atmosphere in the workplace. If relationships seem tense or strained, if a problem seems to be brewing under the surface, don't ignore it. If you are not sure about how to proceed, consult with HR.

CRITICAL INCIDENT
INEFFECTIVE PERFORMANCE

Occurrence: A manager occasionally made comments about female employees' appearance. Many of these comments were sexually oriented or had sexual overtones. As a result, the atmosphere in the manager's department degenerated because of the example he set. Off-color comments were tolerated and degrading posters were displayed.

Impact: (1) The manager was violating WEC policy which prohibits sexual harassment. (2) The situation came to the attention of HR because of employee complaints. (3) After an investigation, the manager was disciplined.

Lessons Learned: (1) Managers and supervisors set the tone for their employees. (2) Employees engaging in sexual harassment may be disciplined or terminated.

F. FITNESS FOR DUTY

Enabling Objectives

Upon completion of this section, the trainee will be able to perform the following:

1. Identify WID's fitness-for-duty policy.

2. Identify the WID organizations to contact for further information about fitness-for-duty.

3. Given an employee-manager scenario, evaluate the manager's effectiveness in adhering to WID's fitness-for-duty policy.

Employees are fit-for-duty when they are ready and able to perform the full scope of their jobs. WID maintains a fitness-for-duty program to identify employees who are unfit for their assigned duties as a result of drug or alcohol use, or other physical or psychological conditions. Employees who are unfit for duty should be removed from such duty and from access to vital areas of the plant.

The following are elements of WID's fitness-for-duty program:

- Counseling is available to all employees through the Employee Assistance Program. This confidential assistance can aid employees with life management or substance abuse problems.

- Pre-employment substance abuse testing. Job applicants must successfully complete substance screening before they are hired.

- Dog-assisted searches of WIPP facilities at random intervals.

- Substance abuse testing. Certain employees are subject to substance abuse testing upon request. These employees include those who:

  (1) exhibit documented behavior or performance difficulties that are possibly due to substance abuse.

  (2) have had a prior positive test or have gone through a rehabilitation program for substance abuse.

(3) are involved in any work-related vehicular incident or in an event resulting in a reportable injury.

(4) are in safety-sensitive positions or hold other substantial impact positions in which impaired performance could have an adverse effect, including assignments subject to regulatory or customer demands for testing.

You play a vital role in the effectiveness of the implementation of WID's fitness-for-duty program. If you suspect that an employee may be unfit for duty, contact HR. If HR personnel are unavailable, or if the employee is endangering themselves or other employees, contact Security.

CRITICAL INCIDENT
INEFFECTIVE PERFORMANCE

Occurrence: A WID employee reported to work with alcohol on his breath. Coworkers of the employee reported this to the employee's manager. The manager "covered" for the employee, downplaying the coworkers' concerns. In private discussions with the employee, the manager suggested that the employee take some time off. Because the employee was an alcoholic, the problem got worse. The situation came to a head when the employee's erratic behavior and declining job performance became obvious to other managers and employees.

Impact: The manager's poor handling of the situation allowed the employee to sink deeper into alcoholism, endangering himself, and potentially endangering his coworkers.

Lessons Learned: (1) You are not doing employees a favor by covering for them when they are not fit for duty. (2) Do not assume that employees can work out substance abuse problems by themselves; experience shows that they almost never can.

G. DIVERSITY AND AFFIRMATIVE ACTION PROGRAMS

Enabling Objectives

Upon completion of this section, the trainee will be able to perform the following:

1. Identify the WID Equal Employment Opportunity (EEO) policy.

2. Identify the function of the Office of Federal Contract Compliance Programs (OFFCP).

3. Identify the role of supervisors and managers in supporting the Affirmative Action Plan.

4. Identify the role of supervisors and managers in supporting WID's equal employment opportunity efforts and helping to prevent equal employment opportunity-related lawsuits.

5. Given an employee-manager scenario, evaluate the manager's effectiveness in administering WID's equal employment opportunity policy and affirmative action program.

WEC recognizes that its continued success depends on the development and utilization of a diverse range of human resources. At the foundation of this precept is achieving diversity and equal employment opportunity. It is the continuing policy of WEC and WID to afford equal opportunity to qualified individuals, in conformance with applicable laws and regulations, regardless of their race, color, religion, sex, national origin, age, physical or mental handicap, veteran or disabled veteran status, or citizenship status.

This policy of equal opportunity encompasses all aspects of the employment relationship, including application and initial employment, promotion and transfer, selection for training opportunities, wage and salary administration, and the application of service, retirement, seniority, and employee benefit plan policies.

As a WID supervisor or manager, you are accountable for carrying out WID's diversity policy within your area of responsibility. This means complying with both the spirit and the intent of legislation, regulations, and executive orders providing for equal opportunity. This commitment requires the creation of an atmosphere that fully utilizes the talents and capabilities of a diverse workforce to carry out the WID mission. You are also responsible for providing equality of opportunity for self-development and advancement to all qualified employees, and for encouraging employees to accept such opportunities as they are

provided.

Affirmative action is the set of activities WID uses to ensure that current decisions and practices enhance the employment, promotion, and retention of members of protected groups. Protected groups include women, the handicapped, minority groups, veterans, veterans of the Vietnam era, and individuals who are more than 40 years old.

The OFCCP administers affirmative action plans required for government contractors such as WID. Without such a plan, the OFCCP has the power to remove privileges of doing business with the federal government. The OFCCP monitors and audits WID's performance with respect to affirmative action.

Affirmative actions are distinguished from merely refraining from practices that discriminate. Affirmative actions support and clearly demonstrate WID's commitment to diverse human resources. As a manager or supervisor, your role in supporting this commitment is to follow established hiring and promotion practices. Keep affirmative action and workplace diversity in mind when you are hiring, training or promoting employees.

Experience has shown that a predominant factor in discrimination complaints is mismanagement of the employment relationship. This happens when a supervisor or manager makes an error or miscommunicates, causing an employee to feel discriminated against. Here are some practices that you can adopt to support WID's efforts to maintain a diverse work force and to prevent discrimination-related lawsuits.

- Support WID diversity by following equal employment policy and affirmative action plans.

- Remember that what you do (or don't do) is the basis of how your employees perceive that WID is treating them. Your actions and decisions must be above reproach, consistent, and based on objective criteria relevant to the job.

- Communicate with your manager and HR about significant employee performance issues. HR can assist you in managing and resolving performance issues.

- Be proactive and manage employee performance. Don't allow poor performance to continue without an appropriate response (e.g., feedback, encouragement, counseling). Being proactive reduces the likelihood that you (or WID) may be charged with discrimination.

- Maintain two-way communication with your employees. This will help you resolve problems without occurrences of discrimination complaints or legal actions.

- Treat others as you expect to be treated. This will prevent many employee

complaints.

CRITICAL INCIDENT
INEFFECTIVE PERFORMANCE

Occurrence: A minority male more than 40 years old with average performance ratings became disgruntled because non-minority coworkers under 40 years old had been promoted. The employee's supervisor had not talked with the employee about how to get promoted through improved performance. The employee quit and went to the Equal Employment Opportunity Commission (EEOC), claiming age and national origin discrimination. Three agencies eventually were involved in investigating the employee's claim:

- The EEOC
- The OFCCP
- The New Mexico Department of Labor

WID was asked by these agencies to respond to a complex series of questions regarding the alleged discrimination.

Impact: HR conducted an exhaustive investigation of the employee's claims. Investigations of this type are expensive and time-consuming. After the results of WID's investigation were presented to the agencies, a "no probable cause" finding was issued in favor of WID. This finding does not, however, prohibit the employee from continuing to pursue their claim in civil court.

Lessons Learned: (1) Give your employees feedback on job performance and help them to reach their potential. (2) Work to create open, two-way communication. (3) Think before you act. Take time to consider possible employee interpretations of your actions.

H. EMPLOYEE COMPENSATION PROGRAM

Enabling Objectives

Upon completion of this section, the trainee will be able to perform the following:

1. Identify the role and responsibilities of supervisors and managers in the area of employee compensation.

2. Identify the process for determining merit increase funds.

3. Identify the WID organization to contact for further information on benefits.

4. Identify the role and responsibilities of supervisors and managers for administration of the Employee Performance Appraisal and Development System (EPADS)

5. Given an employee-manager scenario, evaluate the manager's effectiveness in adhering to employee compensation program requirements.

The financial success of WID depends largely on the individual and team contributions that employees make through their assigned responsibilities. These contributions are reflected in individual performance evaluations, one of the considerations in salary determination for each employee. In making salary determinations, supervisors and managers must consider and balance both the needs of WID and the performance of employees. In this section, we will discuss your role and responsibilities in the area of employee compensation.

Employee compensation at WID is based on the pay-for-performance concept, whereby employees are paid for their performance. Thus, it is important that performance ratings accurately reflect performance. All managers and supervisors are responsible for ensuring that each employee reporting to them is properly compensated. As part of the salary planning process, the salary of each employee is reviewed on an annual basis to determine whether it is at a level consistent with the employee's level of performance. Based on this review, the parameters of the WID's salary program, and WEC guidelines, individual salary changes may be scheduled and implemented throughout the salary plan year.

Employee performance is assessed and documented in annual performance reviews. This is accomplished with the Employee Performance Appraisal and Development System (EPADS). EPADS, the foundation for WID's appraisal process, assists in accurately assessing employee performance.

Supervisors or managers may be tempted to give employees a rating that is higher than warranted by the employee's performance. Telling an employee that they are an average or poor performer can be difficult. But not every employee can be an excellent performer. An average performer should be rated as a 3, which means the employee is doing their job and meeting performance standards.

We cannot overstate the importance of providing your employees performance feedback. Feedback helps employees self-manage their performance. The EPADS appraisal and goals supplement the informal feedback you give your employees from week to week. EPADS ratings help you make decisions that affect your employees and provide the supporting documentation. For example, merit increase and promotion decisions are largely based on performance ratings. That's why using EPADS makes this relatively simple.

The pool of merit increase funds is set; therefore, overrating an employee doesn't necessarily equate to a larger pay increase since you must allocate a fixed sum of merit funds among your employees. Additionally, employees who are rated highly expect larger merit increases. If you overrate, you set up some employees for a disappointment. Overrating undermines the performance review and pay-for-performance system. If all employees received a 5 rating, WID's merit plan would be defeated. Give your employees objective performance reviews. Make sure the performance review accurately reflects the employee's performance during that rating period.

The customer determines the pool of merit increase funds annually. An analysis of the regional and national salary market for employers with whom WID competes for employees determines WID's current salary market position. HR requests concurrence with the survey analysis and a market forecast from the GESCO HR Department and DOE. Salary increase funds are distributed among WID departments for merit and promotional salary increases during the following salary plan year.

Never discuss planned pay increases with employees before the increases are fully approved. Planned salary increases are sometimes changed. Don't set yourself and your employee up for a disappointment by sharing information about a pay increase before the increase is approved and ready for presentation to the employee. This will backfire if the raise never materializes or if it is delayed.

SETTING PERFORMANCE GOALS

We recommend that you begin the goal-setting process during the first week in July. Give the process the time necessary to provide goals that are carefully thought out. Appropriate goals will have a powerfully positive effect on your employees' motivation and performance.

Discuss each performance dimension with an employee. Give the employee time to absorb what you've said before you move on. Watch the employee's behavior. Is the employee understanding what you are saying? Disbelief may indicate that the employee hasn't received enough performance feedback. To develop your skills for appraising performance and developing employees, you can:

- Review the performance appraisal section in MAS-110, *Employee Relations*
- Study the feedback section in MAS-106, *Communications*
- Use the coaching principles in MAS-111, *Personnel Development*
- Learn from managers who are particularly effective at coaching and appraising performance
- Analyze goal-setting and performance appraisal sessions that go especially well or poorly to determine why

BENEFITS

Benefits are an important part of total compensation at WID. Understanding and explaining benefits requires specialized knowledge. As a supervisor or manager, you are an agent of WID. WID may be held liable if you misrepresent or misinterpret benefits. Therefore, it is a good practice to refer most benefit questions from applicants or employees to the Benefits Access Center or HR. However, you may answer general questions when you fully understand the benefit in question and feel comfortable with your response.

CRITICAL INCIDENT
INEFFECTIVE PERFORMANCE

Occurrence: A manager planned to give a WID employee a raise. The employee's manager told the employee about the plan, sharing specific information such as the timing and the new salary amount. The manager shared this information before the PRISM payroll sheet necessary to approve these plans had been signed by all required persons. The planned raise was delayed during the approval process.

Impact: The employee became disgruntled while waiting for the expected raise. When the raise didn't materialize as expected, the employee wanted to know what had happened. This put the employee's manager in an uncomfortable position, because he had been advised not to share the reason for the delay with the employee. As a result, the manager's credibility with this employee was damaged. The manager was cautioned by his manager and HR not

to share inappropriate information in the future.

Lessons Learned: When you release information prematurely, it can have serious implications for WID, affected employees, and yourself. Share information at appropriate times (after all approvals have been obtained).

I. OBTAINING SUPPORT IN LEGAL AND ETHICAL MATTERS

Enabling Objectives

Upon completion of this section, the trainee will be able to perform the following:

1. Identify the function of the WID Legal Counsel.
2. Identify the function of the ethical conduct policy.
3. Identify the five areas where legal support may be needed.
4. Identify WID personnel from whom to request support for legal or ethical matters.

As a WID supervisor or manager, you are involved in activities with legal or ethical implications every day. For example, how you respond to employee concerns or administer vendor contracts can determine whether lawsuits are filed against WID. Following good management and operating practices is one of the best ways to protect WID from legal liability or ethical conflicts. This section provides you with the information necessary to help you recognize when and where to obtain support for legal or ethical issues.

Properly handling legal matters requires specialized knowledge. WEC employs persons with this knowledge. Seek their assistance when you think you need help or advice. It is important to obtain support in legal matters early to ensure that the interests of WID, WIPP, employees, and the public are protected properly.

WEC maintains the WID Legal Counsel at the WIPP site to provide counsel regarding all legal issues that impact regulatory compliance, WID operations, and WID, in dealing with customers, governmental agencies, outside legal counsel, and others. The WID Legal Counsel also assists in the establishment and dissemination of corporate policies, procedures, and guidelines of a legal nature.

There are five major areas where legal support may be needed: (1) safety--Occupational Safety and Health Administration (OSHA), Mine Safety and Health Administration (MSHA), (2) environmental--RCRA, Final Safety Analysis Report (FSAR), (3) conflicts of interest (personal or corporate profit resulting from employment with WEC), (4) contractual/procurement (contracts), (5) freedom of information/privacy (release of WEC/DOE proprietary information or employee personal information).

Legal assistance should be requested from the WID Legal Counsel. However, HR issues

that may be of legal significance should, in the first instance, be directed to HR. Some employee relations matters are handled by WEC, by the WID Legal Counsel, and/or the HR manager.

The following guidelines will assist you in responding appropriately to legal matters:

- Don't contact attorneys outside WID (other than for personal business). Contacts of this type should only be handled by the WID Legal Counsel (or the HR manager in the case of labor or employment law matters).

- If you are directly contacted by attorneys outside WID, don't provide information. Instead, obtain the attorney's name, telephone number, whom they represent, and the subject matter that the attorney is interested in, and report the contact immediately to the WID Legal Counsel or the HR manager, as appropriate.

- Notify the WID Legal Counsel or the HR manager, as appropriate, immediately of any matters that may result in litigation or claims against WIPP, WID or WEC.

- Communicate to your employees the requirement that they conduct their jobs in a legal and ethical manner.

- Seek guidance on questionable matters. This rule is critical in legal issues.

ETHICAL CONDUCT

WID has an ethical conduct policy. Each of your employees may affect WID's compliance with the laws and standards of ethical and moral conduct. As a supervisor or manager, you share in the responsibility for ensuring that each of your employees has a working knowledge of permissible activities involved in employees' work. You should encourage your employees to seek guidance from the WID Ethics Office (the Controller's Department and WID Legal Counsel) concerning any matter in question. Furthermore, it is required that every WID employee receive and sign for a copy of the *WID Code of Business Ethics and Conduct*, and attend an ethics awareness presentation annually.

As a manager or supervisor, you are responsible for communicating the ethics policy to your employees. Make sure that employees know that their questions and concerns about ethics and possible violations should be addressed to the Ethics Office. All information reported to the Ethics Office remains confidential. All concerns are investigated or referred for investigation. Disciplinary measures may be taken when employees fail to comply with the law and with *WID Code of Business Ethics and Conduct*. The cognizant department manager may take disciplinary action, up to and including discharge for individuals who authorize or participate directly in violations of this code or other WID policies.

Keep in mind, the Ethics Office presides over all conflicts of interest at WID. If you or your employees have a potential conflict of interest due to the appearance of personal profit resulting from your, or a family member's employment with WEC, or one of our suppliers, or our customers, etc., you should seek guidance from the Ethics Office.

J. SMART MOVES YOU CAN TRY NOW

- Know the organizations that participate in the Project Management System, and why they are essential to accomplishing the WIPP mission (page 5).
- Communicate to your employees where WID fits into the GESCO business unit and the WEC organization (page 6).
- Find out who is the chief contact from WID to GESCO, and who are the WID contacts with other WEC organizations (page 7).
- Learn when you need to refer to WEC corporative directives and where you can locate this reference (page 9).
- Know when it is necessary for you to write a procedure (page 10).
- Learn the guidelines for starting the hiring process, internally or externally (page 16).
- Learn the steps in the positive, progressive discipline process and why they may vary depending upon the status of an employee (page 22).
- Communicate to your employees your support for a workplace free from sexual harassment. Discuss how to avoid behaviors that can be construed as sexual harassment (page 27).
- Know the requirements of WID's fitness-for-duty policy and communicate them to your employees (page 29).
- Maintain regular two-way communication with your employees to provide consistent feedback and performance management (page 32).
- Conduct annual EPADS performance evaluations with all your employees (page 34).
- Know the five key areas where you may need legal guidance, and from whom (page 38).
- Communicate WID's ethics policy to your employees and make sure each has a copy of the WID *Code of Business Ethics and Conduct* (page 39).

K. PRACTICE TEST

1. Ensuring that employees are properly compensated is the responsibility of the

   a. Controller's Department.

   b. Human Resources.

   c. CAO.

   d. immediate supervisor or manager.

   (H.1)

2. An attorney representing one of your ex-employees contacts you, stating that he needs to ask you a few questions about a lawsuit the ex-employee has filed. The proper action to take is to

   a. tell the attorney that you can't talk to lawyers and terminate the conversation.

   b. stay focused on the main issue relevant to the lawsuit and answer the attorney's questions in a positive manner.

   c. tell the attorney that you need some time to reconstruct the events leading to the lawsuit and then call him back when you have the facts.

   d. get the attorney's name, telephone number, and reason for calling, and then seek assistance from WID Legal Counsel or the HR manager.

   (I.4)

3. An employee had complained to his supervisor in the past, saying he was "underpaid." This employee was essential to an important WIPP project and the supervisor was worried that the employee was beginning to shop around for a better-paying job. To reduce the chances that the employee would leave, the supervisor told the employee that he was scheduled for a significant pay increase in seven months. Was this a *good* practice? Why?

   a. YES - the supervisor could not afford to lose this employee

   b. YES - it is a good practice to share salary increase plans with employees as soon as the plans are completed

   c. NO - the supervisor should have told the employee the exact percentage increase that was planned

   d. NO - salary increases should be discussed only after they are approved and ready for presentation

   (H.4)

4. The primary objective of DOE Order 4700.1 is to ensure the application of sound management principles to provide a disciplined, systematic, and coordinated approach to

   a. total compensation.

   b. project management.

   c. recruitment and hiring.

   d. affirmative action planning.

   (B.1)

5. The WID is one of thirteen organizations that report to the

   a. GESCO.

   b. MTD.

   c. ESBU.

   d. SRC.

   (B.5)

6. A manager needs general information governing legal and ethical conduct at WEC. The best place to look for this information is in

   a. the Employee Handbook.

   b. WID controlled document locations.

   c. WP 15-7.

   d. Code of Business Ethics and Conduct.

   (I.2)

7. An employee asks you where to find a listing of WID procedures. The correct response is to tell the employee to look in the

   a. Operations Program Plan.

   b. Index to WID Controlled Documents.

   c. Project Management System.

   d. Quality Assurance Program Plan.

   (C.4)

8. When seeking to fill a vacant position in your department, it is a *good* practice to

   a. assist Human Resources by directly contacting candidates at other WEC locations.

   b. assist Human Resources by using your contacts and associates to identify candidates

   c. leave all candidate identification efforts to Human Resources.

   d. try to hire someone who has relatives working at the WIPP; this is one of WID's policies to enhance employee commitment.

   (D.2)

9. A supervisor decided that it was time to discipline an employee. After conducting a thorough investigation of the employee's actions, the supervisor produced a written warning. After meeting with the employee and issuing the written warning, the supervisor brought the employee's performance problems to the attention of Human Resources. Was this a *good* practice? Why?

   a. YES - it is a good practice to issue written warnings whenever employees make mistakes

   b. YES - the supervisor was properly administering WID's positive, progressive discipline policy

   c. NO - consent must be obtained from Human Resources before a written warning is issued

   d. NO - supervisors do not need to discuss performance problems with Human Resources unless they have given an employee time off without pay

   (D.7)

10. An employee told her manager that one of her coworkers had repeatedly offended her by telling sexually oriented jokes. The manager explained that this type of humor was part of the work culture in the department and that the joke-teller did not mean any harm. By the time the manager finished talking, the employee seemed to have calmed down. The manager concluded that further action was unnecessary. Was this a *good* practice? Why?

    a. YES - the manager was properly orienting the employee to the realities of work life in the department

    b. YES - the manager successfully resolved the matter without having to discipline anyone

    c. NO - the manager should have immediately disciplined the joke-teller

    d. NO - the manager should have contacted Human Resources immediately

    (E.3)

L. ANSWERS AND FEEDBACK FOR PRACTICE TEST

1. d. immediate supervisor or manager.

2. d. get the attorney's name, telephone number, and reason for calling, and then seek assistance from WID Legal Counsel or the HR manager.

3. d. NO - salary increases should be discussed only after they are approved and ready for presentation

4. b. project management.

5. a. GESCO.

6. d. Code of Business Ethics and Conduct.

7. b. Index to WID Controlled Documents.

8. b. assist Human Resources by using your contacts and associates to identify candidates

9. c. NO - consent must be obtained from Human Resources before a written warning is issued

10. d. NO - the manager should have contacted Human Resources immediately

If you scored 80 percent or higher on the practice test, you are ready to take the module examination; please see the MAST Coordinator.

If you scored less than 80 percent on the practice test, please re-read the module and take the practice test again. If you still have questions, contact the MAST Coordinator.

M. MODULE REFERENCES

DOE Order 4700.1

Management Control System Manual, WP 15-2, 1991

Writer's Guide, 15-PS, June 16, 1995

A Strategic Approach to Managing Poor Performance by S. Green, Purdue University, 1989 (draft)

The Better Work Supervisor, June 3, 1991

Fayetteville Supervisors Manual, Westinghouse, 1982

Using Positive Discipline by D. Engler, McGraw-Hill Training Systems, 1986

Managing the Marginal and Unsatisfactory Performer by L. Steinmetz, 1969

Making Advances: What Organizations Must Do About Sexual Harassment by B. Terman, MTI Film & Video, 1988

Contacts With Outside Counsel, WID Management Policy draft, 1991

INPO 90-015, Performance Objectives and Criteria For Operating and Near-Term Operating License Plants, August 1990

Personnel by W. Glueck, 1982

Management Directive MD E95, Westinghouse, 1987

Compensation by G. Milkovich and J. Newman, 1984

Applicable Clauses of DOE/WID Contract DE-AC03-86AL31950.

A Strategic Approach to Managing Poor Performance by S. Green, Purdue University, (Draft) 1989.

Corporate Directive 2501, Westinghouse, 1990.

Corporate Directive 2503, Westinghouse, 1990.

Corporate Directive 6502, Westinghouse, 1990.

Request or Information from Unknown, Outside Parties, WID Letter AA:91:1275 offered by WID Legal Counsel, Gloria Barnes.

WID Code of Ethics and Business Conduct

WID Management Policy, 1.4, "Release of Information to the Public."

WID Management Policy 1.5, "Freedom of Information Act."

WID Management Policy 4.2, Employee Concerns."

WID Management Policy 4.6, "Ethical Conduct."